

To: Federal Communications Commission

From: S-R Broadcasting Co., Inc

Re: SDARS Proceeding Number: IB 95-91

Date: December 13, 2001

Comments:

KRKO-AM, Everett, Washington, an unrated, suburban metro station located in the Seattle ADI. Station KRKO is basically a talk format station interspersed with local sports. Local originated programming includes high school girls and boys basketball; high school football; a Monday through Friday one-hour local newscast produced by the station; hourly two-minute newscasts 24 hours a day, seven days a week; 60 local traffic reports each weekday; a weekly interview with the county sheriff lasting five to ten minutes each Monday; free political debates during election cycles; live fundraisers for various nonprofit groups; a one-hour high school knowledge competition between local high schools; Sunday religious services of several local churches; and twice daily Boeing update information for the many Boeing Company employees located in Everett. In addition to these station locally originated programs, station KRKO also carries Monday through Friday a one-hour local newscast produced by a television station. One hundred percent of our revenues come from local advertising. Any impact to our revenue stream severely affects our ability to provide local programming. We are against any change in the language regarding Authorized Transmissions. The language should remain unambiguous: "SDARS repeaters are restricted to the **simultaneous** retransmission of the complete programming, and only that programming, transmitted by the satellite directly to SDARS subscriber's receivers."

By changing the precise word "simultaneously" to "nearly simultaneously" the door is opened to future interpretation. Who will define what "nearly simultaneously" means? The Commission's original language is absolute. Any technical requirement that requires a split-second delay between receipt of the signal and rebroadcast by the local transmitter can surely be covered under the original, unambiguous, language of "simultaneously."

The Commission's concern as to the use of repeaters to transmit locally originated programming was specifically set forth in the Further Notice of Proposed Rulemaking, 12 F.C.C. Rcd. 5754 (1997) at para. 142 – wherein the Commission tentatively concluded to prohibit the use of terrestrial repeaters to transmit such programming. The basis of the Commission concern (i.e., financial impact on terrestrial broadcast stations) is set forth in Paragraphs 22-31 of the Further Notice. In authorizing satellite radio, subject to the tentative conclusion that terrestrial repeaters could not be used to originate local programming (including local advertising), the Commission balanced the public interest factors of creating

a new service while, at the same time, continuing to protect local broadcasters. Having struck that balance, there is no reason at this date to alter the situation and, thereby, create uncertainty as to the future of local broadcast stations. As herein noted, 100 percent of our revenue is derived from local advertising. Unquestionably, our ability to continue originating local programming to the extent now carried will be adversely affected by revenue decline.

Local broadcasters are the bedrock of a long tested successful system that has served the public interest and the respective communities of license. Why will the public interest be better served by jeopardizing local broadcasters? Satellite radio (without local programming/local advertising) will adversely affect revenue. The Commission should not exacerbate the already delicate balance by permitting satellite radio to use terrestrial repeaters to originate local programming/advertising.

We respectfully request that the Commission not open the door in any manner whatsoever to the future possibility of interpretation. There is no substantive reason for the Commission to back off its original position.

Yours very truly
Andrew P. Skotdal
President